

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, August 7, 2024, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, August 2, 2024, at 3:55 P.M.

An addendum was posted on Tuesday, August 6, 2024, at 1:43 P.M.

CALL TO ORDER

Vice-Chair Lakin called the meeting to order at 5:03 P.M.

ROLL CALL:

Hall-Harper	Present	Bengel	Present
Cue	Absent	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Absent		
	Present:	7	
	Absent:	2	

STAFF PRESENT

Mark Swiney, Senior Assistant City Attorney
Lori Doring, Secretary to the Council
Chris Baughman, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Special Meeting held at 10:00 AM on July 17, 2024. [CC 8/7/24]
24-799-1
- b. Minutes of Regular Meeting held at 4:00 PM on July 17, 2024. [CC 8/7/24]
24-799-2
- c. Minutes of Regular Meeting held at 5:00 PM on July 17, 2024. [CC 8/7/24]
24-799-3

Councilor Decter Wright moved to approve 1.a – 1.c. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		
Yeas: 7	Nays: 0	Absent: 2	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Kimberly Norman – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2027. (CD-4) [UED 7/31/24; CC 8/7/24]
24-780-1

- b.

Christy Kellerhals – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2026. (CD-6) [UED 7/31/24; CC 8/7/24] 24-774-1
- c.

Karen Keith – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2026. (CD-9) [UED 7/31/24; CC 8/7/24] 24-776-1
- d.

Renee McKenney – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2026. (CD-4) [UED 7/31/24; CC 8/7/24] 24-777-1
- e.

Greg Stone – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2025. (CD-4) [UED 7/31/24; CC 8/7/24] 24-773-1
- f.

Brian Paschal – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2026. (CD-8) [UED 7/31/24; CC 8/7/24] 24-775-1
- g.

Antonio Andrews – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2026. (CD-1) [UED 7/31/24; CC 8/7/24] 24-778-1
- h.

Josh Stout – Appointment to the Tulsa Route 66 Commission: New Commission; term expires July 1, 2027. (CD-2) [UED 7/31/24; CC 8/7/24] 24-779-1
- i.

Dorinda Alexander – Reappointment to the Tulsa Authority for the Recovery of Energy; term expires July 31, 2027. (Attended 8/10 meetings.) (CD-4) [PW 7/31/24; CC 8/7/24] 24-771-1
- j.

Kinnee Tilly – Reappointment to the Tulsa-Rogers County Port Authority; term expires October 4, 2028. (Attended 18/29 meetings.) (CD-9) [PW 7/31/24; CC 8/7/24] 24-770-1

Public Comments:
John Huffines – 2.a – 2.j.

Councilor Decter Wright moved to approve 2.a – 2.j. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

3. PUBLIC HEARINGS

- a. No items this week.

4. MAYOR’S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of one hundred seventy-five thousand dollars (\$175,000.00) to Easker James Brooks, III, Plaintiff, and Smolen and Roytman, PLLC, Attorneys at Law from the Sinking Fund as a payment of a judgment and attorney fee award in Case No. 22-CV-142, Easker James Brooks, III v. City of Tulsa et al. **(Emergency Clause)** [PW 8/7/24; CC 8/7/24] 24-794-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of two million dollars (\$2,000,000.00) to Deanna Lundsford, Plaintiff, and Smolen and Roytman, PLLC, Attorneys at Law from the Sinking Fund as a payment of a judgment and attorney fee award in Case No. 22-CV-347, Deanna Lundsford v. City of Tulsa et al. **(Emergency Clause)** [PW 8/7/24; CC 8/7/24] 24-795-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution requesting Quality Event designation for the 2024 Arabian Horse Association U.S. Nationals to be held October 17-26, 2024, identifying the City of Tulsa as the event's host community. **(Emergency Clause)** [PW 7/31/24; CC 8/7/24] 24-758-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution requesting Quality Event designation for the 2024 USA BMX Grand Nationals to be held November 28 - December 1, 2024, identifying the City of Tulsa as the event's host community. **(Emergency Clause)** [PW 7/31/24; CC 8/7/24] 24-759-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of Housing and Urban Development (HUD) Grant funding recommendations from the HUD Community Development Committee. In accordance with Title 12, Chapter 8, Section 804, Paragraph F, the HUD Community Development Committee has made recommendations for the HOMEARP Allocation Plan. [PW 7/31/24; CC 8/7/24] 24-756-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Habitat Housing, Inc., d/b/a Boomtown Development Co. for property located at 52 N. Lewis Ave., Whittier Heights Addition, to install and maintain a retaining wall in and upon a street right-of-way. (CD-3) [PW 7/31/24; CC 8/7/24] 24-765-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Bryn Mawr Property, LLC for property located at 2909 E. 26th Pl., Unplatted, to install, use, and maintain a driveway and approach with gray integrated color concrete embedded with rock salt, in and upon the street right of way. (CD-4) [PW 7/31/24; CC 8/7/24] 24-766-2
- i. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Steven C. Patrick and Lisa G. Patrick for property located at 1557 E. 22nd St. S., to install, use, and maintain a color or stained driveway approach and front entry sidewalk pad in and upon the street right of way. (CD-4) [PW 7/31/24; CC 8/7/24] 24-767-2
- j. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from RTM Business Group in the amount of nine hundred dollars (\$900.00) for Jon Galchik to travel to San Diego, CA on October 27-29, 2024, to participate and speak at the 2024 RTM Fall Government IT Congress. [CC 8/7/24] 24-796-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from Pierce Manufacturing in the amount of three thousand, four

hundred dollars (\$3,400.00) for Dan Newbury, Garrett Reed, Micah Seibel, and James Connors to travel to Appleton, WI on July 31 - August 3, 2024, to perform the complete final inspection of two (2) custom apparatus prior to delivery as part of the ordering process. [CC 8/7/24] 24-797-1

1.
- ADDENDUM:** Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: TAUW Downtown Deco Challenge and Campaign scheduled for August 17, 2024, at 500 S. Main St. (CD-4) (Late request by Department of City Experience) [CC 8/7/24]

Public Comments:
John Huffines – 4.l.
James Alexander, Jr. – 4.f.
Bernice Alexander – 4.f.

Councilor Decter Wright moved to approve 4.b – 4.l with the emergency clause on 4.b – 4.e. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a.
- Monthly Status Report from the Sales Tax Overview Committee on current activities and efforts.

Kathy Sebert presented the report.

Public Comments:
John Huffines – 5.a.

- b.
- Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7779 from CG and RD to AG for property located north of the NE/c of Mohawk Blvd. and N. Columbia Ave. requested by Jose Manuel Escobedo. (Property owner: Jose Manuel Escobedo) (CD-1) (TMAPC voted 9-0-0 to recommend **APPROVAL** of AG zoning.) [UED 7/31/24; CC 8/7/24; CC 8/21/24] 24-744-2

Councilor Decter Wright moved to approve 5.b. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 5, Chapter 3, Tulsa Revised Ordinances, titled "Arts Commission of the City of Tulsa"; amending Section 301, "Membership"; to amend the qualifications and membership of the Arts Commission, amending Section 302, "Duties", Subsection "F" to reduce the number of Independent Review Panel members, amend the composition of the panel, add a non-voting Chair, and remove references to Pandemic related programs. (Patrick, Bellis, Lakin) [UED 7/31/24; CC 8/7/24; CC 8/21/24] 24-755-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of one hundred forty-one thousand, six hundred sixty-nine dollars and fifty-five cents (\$141,669.55) recognized from unappropriated fund balance within the General Fund, E911 Operating Fund, EMSA Utility Fund, Stormwater Enterprise Fund, TMUA Water Operating Fund, TMUA Sewer Operating Fund, and to reduce appropriations of seventy-nine thousand, one hundred forty-five dollars (\$79,145.00) within the General Fund. (GIS Planner) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-784-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of five hundred thousand dollars (\$500,000.00) from grant revenues to be received from the Department of Environmental Quality passed through the Oklahoma Department of Environmental Quality within the Brownfield Revolving Loan Fund Grant Program SubFund. (Environmental Remediation and Cleanup) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-786-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of nine hundred thousand dollars (\$900,000.00) from grant revenues to be received from the Environmental Protection Agency within the Brownfield Revolving Loan Fund Supplemental Funding Grant Program SubFund. (Training and Supplies) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-791-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of one hundred ninety-nine thousand, seven hundred fifty dollars (\$199,750.00) from grant revenues to be received from the pass through entity Oklahoma Department of Homeland Security State and Local Cybersecurity SubFund. (Consulting Services) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-792-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-2025 budget to make supplemental appropriations of one thousand, nine hundred fifty-five dollars (\$1,955.00) from donation revenues received from the Parks Leadership U Stipend SubFund. (Training and Supplies) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-793-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2024-25 budget to make supplemental appropriations of one million, eight hundred forty-five thousand, three hundred eleven dollars (\$1,845,311.00) from grant revenues received from the United States Treasury American Rescue Plan Act SubFund. (36N Comanche Streets and Sewers) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-804-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the Fiscal Year 2024-25 Budget to appropriate one hundred sixteen thousand, nine hundred thirty-four dollars (\$116,934.00) of unassigned fund balance in the Pandemic Relief Recovery Fund. (36N Comanche Streets and Sewers) [UED 8/7/24; CC 8/7/24; CC 8/21/24] 24-805-2

- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Chapter 1, Title 44, Tulsa Revised Ordinances, "City of Tulsa Hotel Tax Code" by amending Subsection G, "Rent", Section 100, "Definitions". **(Emergency Clause)** (Cue, Bellis, Bengel) [PW 8/7/24; CC 8/7/24; CC 8/21/24] 24-798-2

Without objection, items 6.a – 6.i were forwarded to the next Council meeting.

7. **ORDINANCES - SECOND READING**

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Section 1400, “Noises”, of Chapter 14, “Disturbing the Peace”, Title 27, “Penal Code”, Tulsa Revised Ordinances. **(Emergency Clause)** (Bengel) [PW 7/24/24; CC 7/31/24; CC 8/7/24] 24-739-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Public Way requested by Chris Tabberer, to close a portion of the public way located at 22 W. 10th St. The alleyway is situated between S. Boulder Ave., S. Main St., W. 10th St. in Block 194 of Original Townsite of Tulsa, Plat No. 0510. The requested closing of the public way is for First United Methodist Church of Tulsa. (CD-4) (Public Hearing: 7/31/24) [PW 7/31/24; CC 7/31/24; CC 8/7/24] 24-746-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Sanitary Sewer Easement, requested by Andy Blankenship for property located at 3714 E. 11th St., for a building to be constructed. (CD-4) [PW 7/31/24; CC 7/31/24; CC 8/7/24] 24-768-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Sanitary Sewer Easement, requested by Jaime Skipper for property located at 266 E. Independence St., for future development. (CD-1) [PW 7/31/24; CC 7/31/24; CC 8/7/24] 24-769-2

Public Comments:
John Huffines – 7.b.
James Alexander, Jr. – 7.d.
Bernice Alexander – 7.d.

Councilor Decter Wright moved to approve 7.a – 7.d with the emergency clause on 7.a. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		
Yeas: 7	Nays: 0	Absent: 2	Abstentions: 0

Motion carried.

8. **COUNCIL ITEMS**

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Bengel announced that today is the 10th anniversary of Purple Heart Day and recognized the Purple Heart recipients.

- b. Consideration and possible approval of City Council initiation of Zoning Code Amendments to add definition of a Data Center and related regulations. (Bengel) [UED 7/31/24; CC 8/7/24] 24-747-2

Councilor Decter Wright moved to approve 8.b. Councilor Bellis seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Absent	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Absent		

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. No items this week.

11. HEARING OF PUBLIC COMMENTS

- a. Linda Jones – Upgrades and amenities needed at Johnson Park. [CC 8/7/24] 24-785-1

Linda Jones addressed the Council.

12. ADJOURNMENT

- a. Adjournment.

Vice-Chair Lakin adjourned the meeting at 5:48 P.M.

Jeannie Cue, Chair of the Council

Lori Doring, Secretary to the Council